



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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NOV 20 2019

Ref: 8ORA-IO

MEMORANDUM

SUBJECT: Recusal Statement and Screening Arrangement

FROM: Jagadeesan Sethuraman *JS*
Chief of Staff

TO: Gregory Sopkin
Regional Administrator

I have consulted with the Office of General Counsel/Ethics (OGC/Ethics) and Region 8's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse or any minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment. Because of the current level of my financial ownership, I understand that I am recused from participating personally and substantially in any particular matter that will have a direct and predictable effect on **Whiting Petroleum Corporation or any of its subsidiaries, including Whiting Oil and Gas Corporation**, as a specific party.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Separate from the financial conflict involving Whiting Petroleum Corporation, pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Whiting Petroleum Corporation or any of its subsidiaries, including Whiting Oil & Gas Corporation**, is a party or represents a party. Under the terms of the Ethics Pledge this recusal lasts for two years from the date that I joined federal service, that is, until October 30, 2021.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties representing a diversity of viewpoints. If my former employer is present, then I understand that, generally speaking, at least four other parties should be present to ensure that a diversity of viewpoints is represented and not the same united perspective.

SCREENING ARRANGEMENT

In order to help ensure that I do not participate in matters subject to my recusal obligations, I have taken or will take the following steps:

1. I will provide the Deputy Regional Administrator with a copy of this memorandum so that she may fully understand the purpose and scope of my recusal obligations and this screening arrangement. All inquiries and comments involving matters that may be covered by my recusal obligations should be directed to the Deputy Regional Administrator for her review without my knowledge or involvement.
2. In order to help ensure that I do not inadvertently participate in matters from which I am recused, I am requesting the Deputy Regional Administrator to seek the assistance of the Region 8 ethics team and/or OGC/Ethics if she is ever uncertain whether or not I may participate in a matter.
3. I will provide a copy of this memorandum to the Region 8 Senior Leadership Team, the Region 8 ethics officials and Justina Fugh, Director, OGC/Ethics Office.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region 8 ethics team, I will revise and update my recusal memorandum whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you, OGC/Ethics, the Deputy Regional Administrator and the Region 8 ethics team.

cc: Debra H. Thomas, Deputy Regional Administrator, 8ORA
Suzanne J. Bohan, Director, 8ECAD
Richard D. Buhl, Director, 8MSD
Carl Daly, Acting Director, 8ARD
Bert Garcia, Deputy Director, 8WD
Patrice Kortuem, Deputy Director, 8MSD
Monica Morales, Acting Deputy Director, 8ARD
Nancy Morlock, Acting Deputy Director, 8LCRD
Darcy O'Connor, Director, 8WD
Kim Opekar, Deputy Director, 8ECAD
Kenneth C. Schefski, Regional Counsel, 8ORC
Betsy Smidinger, Director, 8SEMD

Mark Smith, Director, 8LCRD
Sandra Spence, Director, 8LSASD
Sandy Stavnes, Deputy Director, 8SEMD
Elyana Sutin, Deputy Regional Counsel, 8ORC
Melanie Wood, Associate Deputy Regional Administrator, 8ORA
Patrick Davis, Senior Advisor for External Engagement, 8ORA
Justina Fugh, Director, Ethics Office
Michael Gleason, Regional Ethics Counsel, Region 8
Karen McIntosh, Executive Assistant, 8ORA
Shea Love, Administrative Specialist, 8ORA